

REMARKS

The application has been amended and is believed to be in condition for allowance.

Amendments to the Application

The claim set is amended. No new matter is added. Attention is directed to Figure 2, reproduced below.

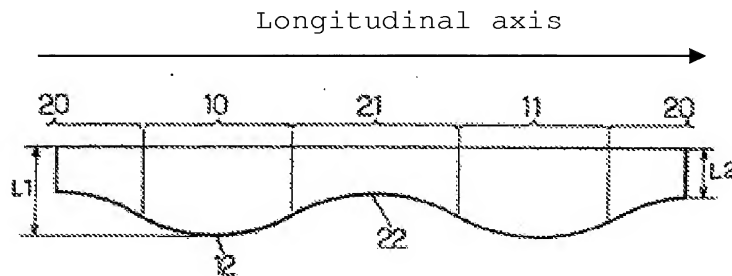


Fig. 2

Independent claims 13, 17, 18, 20, 22 are amended with the following limitation: *"said maximum width L1 and said minimum width L2 being/are measured along a general direction which is perpendicular to said longitudinal axis"*.

With the added feature, the independent claim 13 clarifies the fact that widths cannot be interpreted as dimensions measured along the longitudinal axis as in Fig. 7 of Weder.

This amendment is supported by the drawings (Figs. 1-5) and also the text of the specification, in particular § [32-34] and [56]).

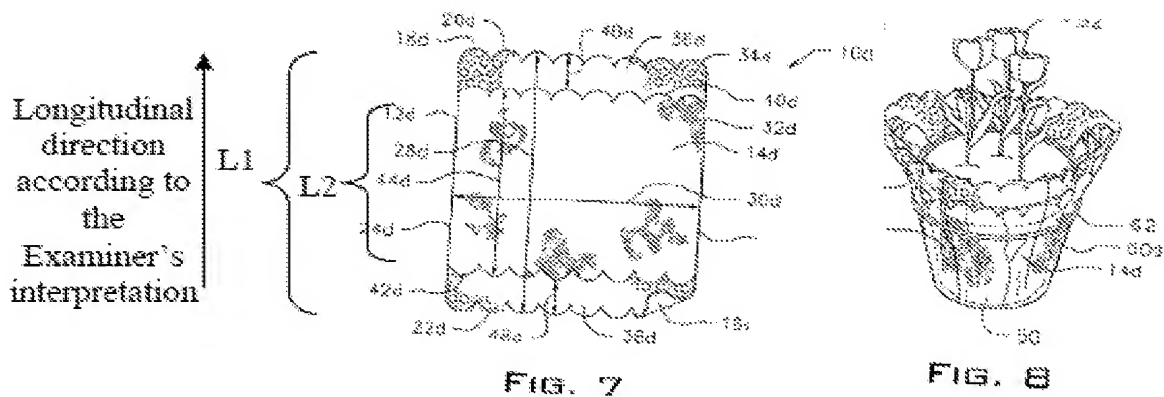
The Substantive Issues - Sections 102 and 103

The Official Action rejected claims 13-15 and 24-26 under 35 USC 102(e) as being anticipated by WEDER (US Publication 2004/0237399; "WEDER").

The Official Action rejected claim 16 under 35 USC 103(a) as being unpatentable over WEDER.

Traverse

It is submitted that the Examiner specifically understood the "longitudinal direction" as shown below.



Regarding the solution of Weder (US2004/0237399), when L1 and L2 are measured as recited, "said maximum width L1 and said minimum width L2 being measured along a general direction which is perpendicular to said longitudinal axis," Weder does not anticipate.

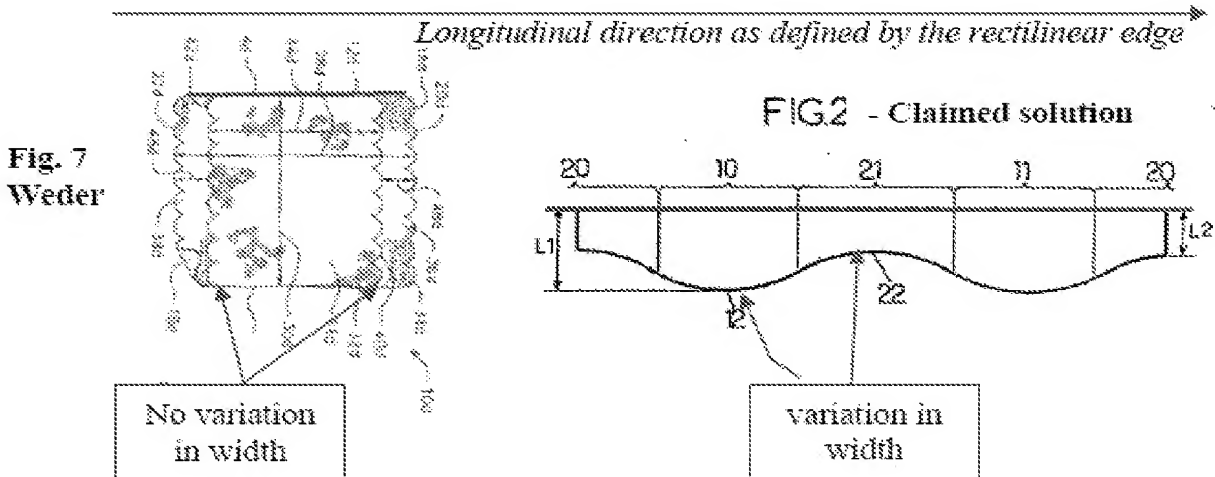
Weder cannot anticipate because Weder fails to disclose:

"the thin film material has at least **one second portion contiguous to said first portion and extending longitudinally** and having a minimum width L2, **the minimum width L2 being between one**

third and two thirds of the maximum width L1 (...), said maximum width L1 and said minimum width L2 being measured along a general direction which is perpendicular to said longitudinal axis", the first edge being "rectilinear and parallel" to this longitudinal axis of the band.

In complete contrast, Weder teaches a wrapper having widths L1 and L2 measured according to the same direction than the rectilinear edge.

The claimed invention, taken as a whole, differs structurally from shown in Weder because the wrapper of Weber does not have any variations in width measured perpendicular from the rectilinear side that defines the longitudinal direction.



Furthermore, new dependent claims 27-28 relate to the band and reciting that the film material comprises two portions 21, respectively two portions 22 (see Figs 1-5).

A new independent claim 29 is added, which comprises features of claim 13 as previously presented and further précising that "the thin film material comprises two of said first portions and two of said second portions, at least one of said second portions being contiguous to a first one of said first portions and to a second one of said first portions".

This feature is not disclosed in Weder because only one so-called "second portion" having a minimum width L2 is shown in Fig. 7 of Weder. As this second portion is a unique central portion in this Fig. 7, Weder fails to suggest a band provided with two distinct "second portions" and having a first portion contiguous to two adjacent "first portions".

Nor would one of skill be motivated to modify Weber to include the claimed features. Thus, the claims are both novel and non-obvious.

Applicant respectfully requests reconsideration of the claims, as presented, and their early passage to issue. Rejoinder and allowance of the withdrawn claims are also respectfully requested.

#### Summary

The Amendment is fully responsive to the last Official Action.

In order to expedite the prosecution of this case, it is requested that the Examiner telephone the attorney for

Applicant at the number set forth below if the Examiner is of the opinion that further discussion of this case would be helpful.

The fee of \$220 for the extra independent claim added is being paid online simultaneously herewith by credit card.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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